

IOWA FINANCE AUTHORITY[265]

Notice of Intended Action

Proposing rule making related to changes to address of authority and providing an opportunity for public comment

The Iowa Finance Authority hereby proposes to amend Chapter 1, “General,” Chapter 7, “Contested Cases,” Chapter 9, “Title Guaranty Division,” Chapter 13, “Public Records and Fair Information Practices,” Chapter 15, “Purchasing,” Chapter 16, “Declaratory Orders,” Chapter 17, “Procedure for Rule Making,” Chapter 18, “Waivers and Variances from Administrative Rules,” Chapter 22, “Iowa Aftercare Services Rent Subsidy Program,” Chapter 30, “Qualified Midwestern Disaster Area Bond Allocation,” Chapter 31, “Council on Homelessness,” Chapter 37, “Recovery Zone Bond Allocation,” and Chapter 44, “Iowa Agricultural Development Division,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 16.5.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 16.5.

Purpose and Summary

The purpose of the proposed amendments is to update the Authority’s address throughout its administrative rules.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Authority for a waiver of the discretionary provisions, if any.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Authority no later than 4:30 p.m. on January 22, 2019. Comments should be directed to:

Mark Thompson
Iowa Finance Authority
1963 Bell Avenue, Suite 200
Des Moines, Iowa 50315
Phone: 515.725.4937
Email: mark.thompson@iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend subrule 1.3(1) as follows:

1.3(1) Location. The main office of the authority is located at ~~2015 Grand Avenue~~ 1963 Bell Avenue, Suite 200, Des Moines, Iowa ~~50312~~ 50315. Office hours for the authority are 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

The title guaranty division (division) of the authority is located at ~~2015 Grand Avenue~~ 1963 Bell Avenue, Suite 200, Des Moines, Iowa ~~50312~~ 50315. Office hours for the division are 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. Additional information concerning the division can be found in Chapter 9 of the authority’s administrative rules (265—Chapter 9).

The authority’s ~~Web site~~ [website](#) address is www.iowafinanceauthority.gov, and its telephone and facsimile numbers are: (515)725-4900 (general); 1-800-432-7230 (toll-free); 1-800-618-4718 (TTY); and (515)725-4901 (facsimile).

ITEM 2. Amend subrule 7.12(3) as follows:

7.12(3) Filing—when required. After the notice of hearing, all pleadings, motions, documents or other papers in a contested case proceeding shall be filed with the Executive Director, Iowa Finance Authority, ~~2015 Grand Avenue, Des Moines, Iowa 50312~~ at the address set forth in rule 265—1.3(16). All pleadings, motions, documents or other papers that are required to be served upon a party shall be filed simultaneously with the authority.

ITEM 3. Amend subrule 7.12(4) as follows:

7.12(4) Filing—when made. Except where otherwise provided by law, a document is deemed filed at the time it is delivered to the Iowa Finance Authority, ~~2015 Grand Avenue, Des Moines, Iowa 50312~~ at its office located at the address set forth in rule 265—1.3(16), delivered to an established courier service for immediate delivery to that office, or mailed by first-class mail or state interoffice mail to that office, so long as there is proof of mailing.

ITEM 4. Amend subrule 9.4(1) as follows:

9.4(1) Location. The office of the division is located at ~~2015 Grand Avenue, Des Moines, Iowa 50312~~ the address set forth in rule 265—1.3(16). Office hours are 8 a.m. to 4:30 p.m. Monday through Friday, excluding legal holidays. The division’s ~~Web site~~ [website](#) address is www.iowatitleguaranty.gov, and the division’s telephone and facsimile numbers are as follows: (515)725-4900 (general telephone number); 1-800-432-7230 (toll-free telephone number); and (515)725-4901 (facsimile). The division’s ~~e-mail~~ [email](mailto:titleguaranty@iowa.gov) address is titleguaranty@iowa.gov. Inquiries, submissions, applications and other requests for information may be directed to the division at the address set forth herein. Requests may be made personally or by telephone, fax, mail or ~~e-mail~~ [email](#).

ITEM 5. Amend subrule 13.3(1) as follows:

13.3(1) Location of record. A request for access to a record should be directed to the office where the record is kept. If the location of the record is not known by the requester, the request shall be directed

to Iowa Finance Authority, ~~2015 Grand Avenue, Des Moines, Iowa 50312~~ at the address set forth in rule 265—1.3(16). The Iowa finance authority will forward the request to the appropriate person.

ITEM 6. Amend rule 265—15.15(16) as follows:

265—15.15(16) Vendor appeals. Any vendor whose bid or proposal has been timely filed and who is aggrieved by the award of the authority may appeal the decision by filing a written notice of appeal before the Iowa Finance Authority Board, ~~2015 Grand Avenue, Des Moines, Iowa 50312~~, at the address set forth in rule 265—1.3(16) within three days of the date of the award, exclusive of Saturdays, Sundays, and state legal holidays. The notice of appeal must actually be received at ~~this~~ that address within the time frame specified to be considered timely. The notice of appeal shall state the grounds upon which the vendor challenges the authority's award. Following receipt of a notice of appeal which has been timely filed, the board shall notify the aggrieved vendor and the vendor who received the contract award of the procedures to be followed in the appeal. The board may appoint a designee to proceed with the appeal on its behalf.

ITEM 7. Amend rule 265—16.1(17A), introductory paragraph, as follows:

265—16.1(17A) Petition for declaratory order. Any person may file a petition with the authority for a declaratory order as to the applicability to specified circumstances of a statute, rule, or order within the primary jurisdiction of the authority, at ~~Iowa Finance Authority, 2015 Grand Avenue, Des Moines, Iowa 50312~~ the address set forth in rule 265—1.3(16). A petition is deemed filed when it is received by ~~that~~ the authority. The authority shall provide the petitioner with a file-stamped copy of the petition if the petitioner provides the authority an extra copy for this purpose. The petition must be typewritten or legibly handwritten in ink and must substantially conform to the following form:

ITEM 8. Amend subrule 16.3(3), introductory paragraph, as follows:

16.3(3) A petition for intervention shall be filed at Iowa Finance Authority, ~~2015 Grand Avenue, Des Moines, Iowa 50312~~ at the address set forth in rule 265—1.3(16). Such a petition is deemed filed when it is received by ~~that office~~ the authority. The authority will provide the petitioner with a file-stamped copy of the petition for intervention if the petitioner provides an extra copy for this purpose. A petition for intervention must be typewritten or legibly handwritten in ink and must substantially conform to the following form:

ITEM 9. Amend rule 265—16.5(17A) as follows:

265—16.5(17A) Inquiries. Inquiries concerning the status of a declaratory order proceeding may be made to the Executive Director, ~~of the Iowa Finance Authority, 2015 Grand Avenue, Des Moines, Iowa 50312~~ at the address set forth in rule 265—1.3(16).

ITEM 10. Amend subrule 16.6(2) as follows:

16.6(2) Filing—when required. All petitions for declaratory orders, petitions for intervention, briefs, or other papers in a proceeding for a declaratory order shall be filed with the Iowa Finance Authority, ~~2015 Grand Avenue, Des Moines, Iowa 50312~~ at the address set forth in rule 265—1.3(16). Petitions, briefs, or other papers that are required to be served upon a party shall be filed simultaneously with the authority.

ITEM 11. Amend subrule 17.5(1) as follows:

17.5(1) Written comments. For at least 20 days after publication of the Notice of Intended Action, persons may submit argument, data, and views, in writing, on the proposed rule. Such written submissions should identify the proposed rule to which they relate and should be submitted to the Executive Director, ~~of the Iowa Finance Authority, 2015 Grand Avenue, Des Moines, Iowa 50312~~ at the address set forth in rule 265—1.3(16), or the person designated in the Notice of Intended Action.

ITEM 12. Amend subrule 17.5(5) as follows:

17.5(5) Accessibility. The authority shall schedule oral proceedings in rooms accessible to and functional for persons with physical disabilities. Persons who have special requirements should contact

the Executive Director, of the Iowa Finance Authority, ~~2015 Grand Avenue, Des Moines, Iowa 50312~~ at the address set forth in rule 265—1.3(16), telephone number (515)725-4900, in advance to arrange access or other needed services.

ITEM 13. Amend subrule 17.6(2), introductory paragraph, as follows:

17.6(2) Mailing list. Small businesses or organizations of small businesses may be registered on the authority's small business impact list by making a written application ~~addressed to the Executive Director, of the Iowa Finance Authority, 2015 Grand Avenue, Des Moines, Iowa 50312~~ at the address set forth in rule 265—1.3(16). The application for registration shall state:

ITEM 14. Amend subrule 17.11(1) as follows:

17.11(1) General. When requested by a person, either prior to the adoption of a rule or within 30 days after its publication in the Iowa Administrative Bulletin as an adopted rule, the authority shall issue a concise statement of reasons for the rule. Requests for such a statement must be in writing and be delivered to the Executive Director, ~~of the Iowa Finance Authority, 2015 Grand Avenue, Des Moines, Iowa 50312~~ at the address set forth in rule 265—1.3(16). The request should indicate whether the statement is sought for all or only a specified part of the rule. Requests will be considered made on the date received.

ITEM 15. Amend subrule 18.5(2) as follows:

18.5(2) Other. If the petition does not relate to a pending contested case, the petition may be submitted to the attention of the executive director of the Iowa Finance Authority, ~~2015 Grand Avenue, Des Moines, Iowa 50312~~ at the address set forth in rule 265—1.3(16).

ITEM 16. Amend **265—Chapter 18**, Exhibit A, paragraph “3,” as follows:

3. All petitions for waiver or variance must be submitted in writing to the attention of the executive director of the Iowa Finance Authority, ~~2015 Grand Avenue, Des Moines, Iowa 50312~~ at the address set forth in rule 265—1.3(16). If the petition relates to a pending contested case, a copy of the petition shall also be filed in the contested case proceeding.

ITEM 17. Amend subrule 22.14(1) as follows:

22.14(1) An applicant whose application has been timely filed may appeal the authority's decision by filing a written notice of appeal within 14 days of the decision before the Iowa Finance Authority, ~~2015 Grand Avenue, Des Moines, Iowa 50312~~ at the address set forth in rule 265—1.3(16). The notice of appeal must actually be received at ~~the above~~ that address within the time frame specified in order to be considered timely.

ITEM 18. Amend rule 265—30.2(16) as follows:

265—30.2(16) Forms. Information and forms necessary for compliance with provisions of the law are available upon request from the Iowa Finance Authority, ~~2015 Grand Avenue, Des Moines, Iowa 50312~~ at the address set forth in rule 265—1.3(16). The telephone number of the authority is (515)725-4900. Information and forms are also available at www.iowafinanceauthority.gov.

ITEM 19. Amend subrule 31.1(1) as follows:

31.1(1) Location. The main office of the council is located at ~~2015 Grand Avenue, Des Moines, Iowa 50312~~, the offices of the Iowa Finance Authority, located at the address set forth in rule 265—1.3(16). Office hours for the council shall be 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. Written requests may be submitted to the council at this address. Information about the council is available at this ~~Web-site~~ website address: <http://www.iowafinanceauthority.gov>. The council's telephone numbers are: (515)725-4900 (general); 1-800-432-7230 (toll-free); 1-800-618-4718 (TTY); and (515)725-4901 (facsimile).

ITEM 20. Amend rule 265—37.2(16) as follows:

265—37.2(16) Forms. Information and forms necessary for compliance with provisions of the law are available upon request from the Iowa Finance Authority, ~~2015 Grand Avenue, Des Moines, Iowa 50312~~

at the address set forth in rule 265—1.3(16). The telephone number of the authority is (515)725-4900. Information and forms are also available at www.iowafinanceauthority.gov.

ITEM 21. Amend subrule 44.1(3) as follows:

44.1(3) *Location where public may submit requests for assistance or obtain information.* Requests for assistance or information should be directed to the Iowa Finance Authority, ~~2015 Grand Avenue, Des Moines, Iowa 50312~~ at the address set forth in rule 265—1.3(16); telephone (515)725-4900. Requests may be made personally, by telephone, U.S. mail or any other medium available, between the hours of 8 a.m. and 4:30 p.m., Monday through Friday. Special arrangements for accessibility to the authority at other times will be provided as needed.